

Atty. Docket No.: 15675.P368

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Christine Favier

Application No.: 09/890,841

Filed: August 2, 2001

For: **METHOD FOR DETECTING BACTERIA
CULTIVATED IN ANAEROBIC CONDITION**

Examiner:

Art Group:

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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to Rule 1.97, Applicant desires to make of record the reference(s) set forth on the attached Form PTO 1449 which were cited in a search report dated May 22, 2000 of the corresponding French application. Enclosed is a copy of the search report which indicates the degree of relevance found by the foreign office where documents cited as category X are deemed relevant when taken alone; documents cited as category Y are deemed relevant when taken in combination with another reference; documents cited as category T are directed to the theory or principle underlying the invention; and documents cited as category A are deemed relevant as technological background. A copy of each reference is submitted herewith.

It is noted that the column labeled "Categorie" translates to Category, the column "Citation du document avec indication, en cas de besoin, des parties pertinentes" translates to citation for document with indication, where appropriate, of relevant passages and the column labeled "Revendications concemees de la demande examinee" translates to relevant to claims.

It is hereby stated that this Information Disclosure Statement is being filed prior to the issuance of the initial office Action, therefore no petition or fee is required. However, in the event a petition is needed for consideration of this Information Disclosure Statement, Applicant hereby so petitions. Please charge any additional fee due to Deposit Account 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 11/21/01


Eric S. Hyman
Reg. No. 30,139

CERTIFICATE OF MAILING

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025
(310) 207-3800

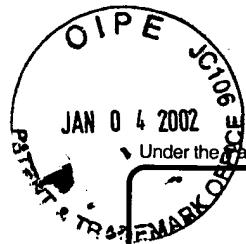
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on: 11-26-01

Melissa Stead

Melissa Stead

11-26-01

Date



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1126-1 PTO/SB/16 (08/00)
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

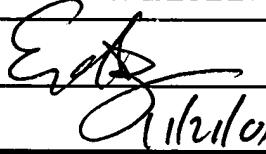
		Application Number	09/890,841
		Filing Date	August 2, 2001
		First Name Inventor	Christine Favier
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	11	Attorney Docket Number	15675P368

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ENCLOSURES (check all that apply)

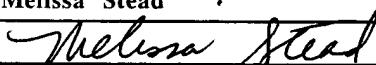
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Form 1449; Prior Art References ; return postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

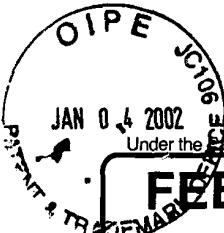
Firm or Individual name	Eric S. Hyman, Reg. No. 30,139 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
Signature	
Date	11/21/01

CERTIFICATE OF MAILING (OR TRANSMISSION)

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Typed or printed name	Melissa Stead
Signature	
	Date 11-26-01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number	09/890,841
Filing Date	08/02/01
First Named Inventor	Christine Favier
Examiner Name	
Group Art Unit	
Attorney Docket Number	15675P368

METHOD OF PAYMENT (check one)					
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:					
Deposit Account Number	02-2666				
Deposit Account Name	Blakely, Sokoloff, Taylor & Zafman LLP				
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37CFR 1.16 and 1.17					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27					
2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other					
FEE CALCULATION					
1. FILING FEE					
Large Entity Small Entity					
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1) (\$)					
2. CLAIMS					
Total Claims	Extra	Fee from below	Fee	Paid	
27	-	X	=		
Independent Claims	4	X	=		
Multiple Dependent Claims					
Large Entity Small Entity					
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple Dependent claim	
109	80	209	40	Reissue independent claims over original patent	
110	18	210	9	Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)					
* or number previously paid, if greater. For Reissues, see above					

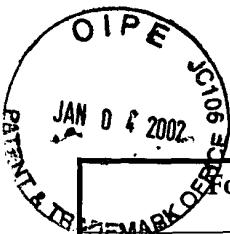
FEE CALCULATION (continued)					
3. ADDITIONAL FEE					
Large Entity	Small Entity				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920 ^f	112	920 ^f	Requesting publication of SIR prior to Examiner action	
113	1,840 ^f	113	1,840 ^f	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	390	216	195	Extension for response within second month	
117	890	217	445	Extension for response within third month	
118	1,390	218	695	Extension for response within fourth month	
128	1,890	228	945	Extension for response within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidably	
141	1,240	241	620	Petition to revive - unintentionally	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					
SUBTOTAL (3) (\$)					
* Reduced by Basic Filing Fee Paid					

SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name	Eric S. Hyman, Reg. No. 30,139			Reg. Number	
Signature				Date	11/21/01
				Deposit Account User ID	02-2666

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Form PTO-1449 (Modified)		Atty Docket No. 15675P368	Application No. 09/890,841
<i>List of Patents & Publications Statement</i>		Applicant(s): Christine Favier	
(Use several sheets if necessary)		Filing Date: August 02, 2001	Group No.:

U.S. PATENT DOCUMENTS

Exam. Initials		Document Number	Date	Name	Class	Sub-class	Filing Date (if appropriate)
	AA	3725203	04/03/1973	Sellers, Jr.	195	100	
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

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FOREIGN PATENT DOCUMENTS

Exam. Initials		Document Number	Date	Country	Class	Sub-class	Translation Yes	No
	AL	0238243	10/03/1987	European	C12 Q 1	04		
	AM	2696476	07/10/1992	France	C12Q1	04		
	AN	2747394	15/04/1996	France	C12N1	20		
	AO							
	AP							
	AQ							

OTHER ART (Including Title, Author, Date, Pertinent Pages, etc.)

Exam. Initials		Document Identification
	AR	Chevalier P. et al, Journal of Microbiological Methods, vol. 13, no. 1, April 1, 1991, page 75-83
	AS	Patent Abstracts of Japan, vol. 016, no. 238 (C-0947), June 2, 1992, 1 page
	AT	

Examiner: _____ Date Considered: _____

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication